

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

STATE OF OREGON,)
)
 Plaintiff,)
)
 vs.)
)
 ELIZABETH DIANE DOWNS,)
)
 Defendant.)

Case No. 10-84-01377

Eugene, Oregon

Honorable Gregory G. Foote

EXCERPT OF PROCEEDINGS

TESTIMONY OF CHRISTIE ANN DOWNS

TUESDAY, MAY 15, 1984 - 1:30 P.M.

Appearances:

For the State:

MR. FREDRICK HUGI
Deputy District Attorney
Lane County Courthouse
Eugene, Oregon 97401

For the Defendant:

MR. JAMES JAGGER
Attorney at Law
540 Oak Street
Eugene, Oregon 97401

KAY V. CATES
Official Court Reporter
Lane County Courthouse
Eugene, OR 97401

1 CHRISTIE ANN DOWNS,
2 called as a witness on behalf of the state, was
3 examined and testified as follows:

4
5 DIRECT EXAMINATION

6
7 BY MR. HUGI:

8 Q. Christie, do you feel okay?

9 A. (Witness nods head.)

10 Q. You're going to have to talk to all these
11 people here.

12 Can you tell me your name?

13 A. Christie Ann Downs.

14 Q. How old are you?

15 A. Nine.

16 Q. What grade are you in?

17 A. Fourth.

18 Q. Do you know your teacher's name?

19 A. Yes.

20 Q. Can you tell us her name?

21 A. Miss Bottoroff.

22 Q. Did you go to school today?

23 A. No.

24 Q. You had to come to the courthouse?

25 A. Yes.

1 Q. We've talked about this day before, haven't
2 we, that this day would happen.

3 Have we talked about it?

4 A. Yeah.

5 Q. Okay.

6 Christie, do you remember back to the day
7 when you got shot, can you remember?

8 A. Yes.

9 Q. Do you remember if you went to school that
10 day or not?

11 A. Yes, I did.

12 Q. Do you remember where you went when you came
13 home from school?

14 A. Yeah.

15 THE COURT: Excuse me, are you going to
16 inquire as to competency at this point?

17 MR. HUGI: Yes, I haven't lost sight of
18 that.

19 THE COURT: Very well.

20 Q. (By Mr. Hugi) The Judge wants me to ask you
21 some questions about if you understand the difference
22 between the truth and a lie.

23 Do you understand the difference?

24 A. Yeah.

25 Q. If I said this piece of paper was black,

1 would that be the truth or a lie (indicating)?

2 A. A lie.

3 Q. And you know that when you come in the
4 courtroom like this, that you have to tell the truth,
5 you understand that?

6 A. Yeah.

7 Q. Do you promise to do that?

8 A. Uh-huh.

9 Q. Do you promise to do that?

10 A. Yeah.

11 Q. So everything we talk about in here now has
12 to be the truth as best you can remember it.

13 Do you understand that?

14 A. Yeah.

15 Q. On the day this happened, you went to school
16 and you came home from school.

17 Do you recall that?

18 A. Yeah.

19 Q. Whose house did you go to?

20 A. My grandparents.

21 Q. Did you eat there?

22 A. Yeah.

23 Q. And after you ate, where did you go then?

24 A. To my mom's house.

25 Q. Back to her apartment where you were living?

1 A. (Witness nods head.)

2 Q. Did you go out that night?

3 A. Yeah.

4 Q. Did you go for a ride?

5 A. Yeah.

6 Q. Who went with you?

7 A. My mom, Cheryl and Danny went.

8 Q. And do you remember the car?

9 A. Yeah.

10 Q. What color was that car?

11 A. Black and red.

12 Q. Can you tell us where you went, do you
13 remember where you went to?

14 A. Yeah.

15 Q. Where?

16 A. My mom's friend's house.

17 Q. And was that in the city or was it in the
18 country?

19 Were there buildings, tall buildings or was
20 there a lot of grass?

21 A. A lot of grass.

22 Q. Do you remember what you did when you got
23 there?

24 A. Yeah.

25 Q. What did you do?

1 A. We went out and petted the horse.

2 Q. Did you give the horse food?

3 A. Yeah.

4 Q. What was your mom doing when you were
5 petting the horse and giving it food?

6 A. She was talking to her friend.

7 Q. Do you remember her friend's name?

8 A. Yeah, Heather.

9 Q. When you left Heather's, do you remember if
10 it was light out or dark?

11 A. It was dark.

12 Q. Who was in the car when you left Heather's
13 house?

14 A. My mom, Cheryl and Danny and me too.

15 Q. Do you remember if there was any music
16 playing in the car?

17 A. Yeah.

18 Q. Was that from the radio or was it from the
19 tape?

20 A. Tape.

21 Q. And do you remember there was a time when
22 the car stopped?

23 A. Yeah.

24 Q. When the car stopped, did you see any other
25 people around?

1 A. No.

2 Q. Did you see any person standing in the road?

3 A. No.

4 Q. When the car stopped what did your mom do?

5 A. She got out and she pulled the lever that
6 went to the trunk.

7 Q. I'm going to show you a picture here. It's
8 called State's 335.

9 Is that the lever you're talking about
10 (indicating)?

11 A. Yes.

12 Q. After your mom pushed the lever that went
13 out to the trunk, were you able to see her do anything
14 after that?

15 A. I didn't look at the back.

16 Q. Okay.

17 Did you see her come back into the car?

18 A. Yeah.

19 Q. What did you see then?

20 A. She kneeled down and --

21 (Witness is crying.)

22 Q. Would you like a recess?

23 A. (No response.)

24 Q. What did you see? You told us she leaned
25 across the seat?

1 A. Yeah.

2 Q. What happened then?

3 A. She shot Cheryl.

4 Q. And you saw that happen?

5 A. Yeah.

6 Q. Was the music still playing?

7 A. Yeah.

8 Q. Do you remember what song was playing?

9 A. Yeah.

10 Q. Can you tell us what that was?

11 A. (No response.)

12 Q. Maybe I'll come back to that.

13 Do you remember what happened after you saw
14 Cheryl get shot?

15 A. Yeah.

16 Q. What happened then?

17 A. She leaned over to the back seat and she
18 shot Danny.

19 Q. What happened then? What happened then
20 after Danny got shot?

21 A. She standed up and went to the back of the
22 seat on the --

23 (Witness is crying.)

24 Q. Do you remember when you got shot?

25 A. Yeah.

- 1 Q. Who shot you?
- 2 A. My mom.
- 3 Q. Do you remember that music that was playing?
- 4 A. (No response.)
- 5 Q. Can you just not think of it right now?
- 6 A. I can't think of it.
- 7 Q. Do you remember what happened after you got
- 8 shot?
- 9 A. No.
- 10 Q. I'm going to put before you State's 334.
- 11 Have you seen that before?
- 12 A. Yeah.
- 13 Q. What is that?
- 14 A. It's a unicorn.
- 15 Q. Where did that come from?
- 16 A. My mom bought it for us.
- 17 Q. That was before you got shot?
- 18 A. Yeah.
- 19 Q. Christie, has anyone ever told you to lie
- 20 about this?
- 21 A. No.
- 22 Q. What you've said here is the truth?
- 23 A. Yeah.
- 24 Q. Christie, do you still love your mom?
- 25 A. Yeah.

1 Q. If I said the name of that song that was
2 playing, do you think you'd remember it?

3 A. Yeah.

4 Q. Is it Hungry Like the Wolf?

5 A. Yeah.

6 Q. No doubt about that?

7 A. No.

8 MR. HUGI: I'm going to offer the two
9 exhibits that were identified by the witness at this
10 time.

11 THE COURT: Show them to counsel, please.

12 MR. JAGGER: No objection, I've seen those.

13 THE COURT: They're received.

14 MR. HUGI: Your witness.

15 THE COURT: Cross-examine.

16

17 CROSS-EXAMINATION

18

19 BY MR. JAGGER:

20 Q. Do you know who I am?

21 A. No.

22 Q. Do you recognize me?

23 A. No.

24 Q. I'm an attorney just like Mr. Hugi, and I'll
25 be asking some questions for your mom, okay?

- 1 A. Okay.
- 2 Q. You know Mr. Hugi, don't you?
- 3 A. Yeah.
- 4 Q. And you think he's nice, don't you?
- 5 A. Yeah.
- 6 Q. Do you know when the last time was that you
7 talked with him?
- 8 A. Today.
- 9 Q. About testifying here today?
- 10 A. Yeah.
- 11 Q. You believe very much that what you've said
12 today is the truth, don't you?
- 13 A. Yeah.
- 14 Q. And that hurts and makes you feel really
15 kind of bad, doesn't it?
- 16 A. Yeah.
- 17 Q. Do you know when you first started to think
18 that this is what happened back then, do you remember
19 at all?
- 20 A. Yeah.
- 21 Q. When was that?
- 22 A. In the hospital I remembered.
- 23 Q. Do you remember if you told anybody --
- 24 A. Yeah.
- 25 Q. -- about it?

1 Who did you tell?

2 A. My caseworker.

3 Q. And you remembered back then who shot you
4 and Danny and Cheryl?

5 A. Yeah.

6 Q. Do you remember her name?

7 A. Yeah.

8 Q. What was her name?

9 A. (No response.)

10 Q. Would it be like a Paula or Susan?

11 A. Yeah, I telled Paula and Susan first.

12 Q. And you remember telling both of them about
13 who shot your brother and sister and you?

14 A. (Witness nods head.)

15 Q. When the car pulled over to stop, do you
16 remember if you were -- do you remember if you were
17 lying down or standing up or sitting up?

18 A. I was sitting up.

19 Q. And what was Danny doing?

20 A. He was sleeping and his head was on the --

21 Q. Was he in the -- were you in the front seat
22 or the back seat?

23 A. I was in the back seat.

24 Q. And was Danny in the back seat or the front
25 seat?

1 A. Back seat.

2 Q. Was his head closer to you or away from you?

3 A. Away from me.

4 Q. The back seat -- the back has a part that
5 you can put your back against?

6 A. Yeah.

7 Q. Was his back -- was Danny's back to the back
8 seat or on the bottom of the seat or towards the front
9 of the car, or was he lying on his stomach?

10 A. He was lying on his side.

11 Q. Do you remember where Cheryl was?

12 A. Yeah.

13 Q. Where was she?

14 A. She was sitting up.

15 Q. She was sitting up?

16 A. Uh-huh.

17 Q. And where was she sitting up?

18 A. In the front seat.

19 Q. She wasn't asleep?

20 A. No.

21 Q. Do you remember what she was wearing?

22 A. No.

23 Q. And you remember that -- do you remember if
24 Cheryl was awake or asleep?

25 A. She was awake.

1 Q. Can you tell me which way she was facing,
2 front or side or back?

3 A. Front.

4 Q. Do you remember going to the beach with your
5 mother and Danny and Cheryl?

6 A. Yeah.

7 Q. Do you remember the drive to the beach being
8 a long ways or a short ways?

9 A. It was long.

10 Q. Do you remember Danny sleeping -- well,
11 forget that question. I'll ask you again.

12 Do you remember where Cheryl was sitting on
13 the ride to the beach?

14 A. (No response.)

15 Q. Do you remember if she would have been
16 sitting in the front seat or the back seat?

17 A. She was in the back seat.

18 Q. Do you remember about coming home if she was
19 in the back seat?

20 A. (No response.)

21 Q. We can come back to that in a minute.

22 Do you remember Danny sleeping on that trip
23 too and back from the beach while in the car driving?

24 A. (No response.)

25 Q. We can come back to that, or do you want to

1 think about it more or do you want me to ask you
2 another question?

3 A. All right.

4 Q. I'm sorry?

5 A. It's all right. You can ask me another
6 question.

7 Q. Do you remember helping your mother at all
8 taking things from the trunk of the car or putting
9 anything into the trunk of the car?

10 A. Not -- only our clothes.

11 MR. JAGGER: Excuse me, we've had marked
12 some Defendant's exhibits, and I don't know how many
13 numbers, A through --

14 THE BAILIFF: Defendant's exhibits have been
15 marked for identification A through G.

16 MR. JAGGER: If you can hand that to her.
17 Let's do it this way.

18 Q. (By Mr. Jagger) Does that look familiar to
19 you at all?

20 A. No.

21 Q. Pardon?

22 A. No.

23 MR. JAGGER: Through the courtesy of the
24 bailiff, if you could take A and give her B.

25 Q. (By Mr. Jagger) You're looking at B now.

1 Does that look familiar to you?

2 A. Yeah.

3 Q. And what is that?

4 A. Cheryl.

5 Q. Is that a picture that you drew with
6 Dr. Peterson?

7 A. Yeah.

8 MR. JAGGER: If you can give her C then,
9 please. I'll come back to A in a minute.

10 Go ahead and take C from her. I'll come
11 back in just a minute.

12 Q. (By Mr. Jagger) Have you talked with -- do
13 you know how long a week is?

14 A. Yeah.

15 Q. Have you talked with Mr. Hugi about
16 testifying here? Can you tell me about how many times
17 you've talked to Mr. Hugi about what you would say
18 here in court or about testifying here?

19 A. (No response.)

20 Q. Have you been talking to him each week, or
21 do you remember?

22 A. (No response.)

23 Q. Do you want me to ask another question?

24 A. It's all right, if you want to.

25 Q. Do you remember when you would talk with

1 Mr. Hugi, would somebody always be with you?

2 A. Yeah.

3 Q. Who was that?

4 A. Sue.

5 Q. Susan Staffel?

6 A. Yeah.

7 Q. Have you practiced being a witness in a
8 courtroom before?

9 A. Yeah.

10 Q. Did you go through a little bit how that
11 would happen?

12 A. Yeah.

13 Q. Did you talk a little bit about what you
14 would say?

15 A. Yeah.

16 Q. Do you know how many times you've done that?

17 A. One time.

18 Q. Did you practice being a judge? Do you
19 remember that at all? Did you do that too?

20 A. (Witness nods head.)

21 Q. Nodding your head up and down, okay.
22 Did you practice sitting where the attorneys
23 sit?

24 A. No.

25 Q. Have you had some -- when you were driving

1 to your mom's friend that night, were you and Danny
2 and Cheryl -- what were you doing on the drive out to
3 her place?

4 A. Listening to the music.

5 Q. What music was playing?

6 A. The tape of Duran, Duran.

7 Q. Do you remember the song?

8 A. No.

9 Q. Were you all laughing or talking?

10 A. Not talking or laughing.

11 Q. Just listening to the music?

12 A. Maybe we were talking sometimes.

13 Q. Do you remember if on the way out there you
14 got lost at all?

15 A. Nope.

16 Q. Do you remember any talking about taking the
17 right turn or the right road to her place?

18 A. Nope.

19 Q. Do you remember seeing in the hospital some
20 things on the television about your mother and you and
21 Danny and Cheryl?

22 A. Yeah.

23 Q. What do you remember?

24 A. (No response.)

25 Q. Is it possible that you didn't see any T.V.

1 programs about it?

2 A. (No response.)

3 Q. Do you remember if you saw any T.V. programs
4 about it?

5 A. (No response.)

6 Q. Do you feel like you know what the answer is
7 to my question but you just can't say it, or maybe you
8 don't know if you saw T.V. or not?

9 A. (No response.)

10 Q. Are you feeling a little tired?

11 A. No.

12 MR. JAGGER: I wouldn't mind if we had even
13 a break at this time. I'll be asking a series of more
14 questions, taking more time.

15 This might be an appropriate place to break.
16 Fresh in the morning might be better.

17 THE COURT: What do you want to do in that
18 respect?

19 MR. JAGGER: It's taking longer than what I
20 thought. I thought it would be short, but it's going
21 to take me between a half hour to an hour because of
22 the way the questions are asked. I don't want to push
23 it.

24 MR. HUGI: I'd ask to finish today if that's
25 possible and not have her miss another day of school,

1 if we can finish today.

2 THE COURT: I think we can do that, but
3 let's take a 10-minute recess.

4 (Brief recess.)

5 THE COURT: You may continue.

6 MR. JACGER: Thank you, your Honor.

7 Q. (By Mr. Jagger) Do you remember some time
8 ago you being told by anyone -- erase that.

9 Do you know what a suspect -- do you know
10 what the word "suspect" means?

11 A. No.

12 Q. That's the reason I want to stop for a
13 second.

14 Do you remember ever being told by someone
15 that some people thought your mother was the one who
16 shot Danny and Cheryl and you, do you ever remember
17 that?

18 A. No.

19 Q. Do you remember Susan Staffel ever saying
20 that to you?

21 A. No.

22 Q. Or Paula Krogdahl?

23 A. No.

24 Q. Or your mother?

25 A. No.

1 Q. Do you remember some time after you got out
2 of the hospital and before now, do you remember ever
3 wondering if your mother had done the shooting, kind
4 of wondering maybe she did or maybe she didn't, I
5 wonder?

6 A. Yeah.

7 Q. Isn't the reason that you were wondering
8 that because you had heard from someplace that some
9 people thought she had?

10 A. I didn't hear.

11 Q. I couldn't hear you.

12 A. I didn't hear.

13 Q. Okay.

14 You never remember ever thinking that --
15 something like this, that my mother must have done it
16 because of what other people are saying.

17 Do you remember ever saying anything like
18 that?

19 A. Nope.

20 Q. Do you remember when Paula Krogdahl would
21 talk to you, if she ever brought you any nice presents
22 or anything to play with?

23 A. No.

24 Q. What is your name at school?

25 A. Christie Ann Slaven.

1 Q. It's not Downs?

2 A. Nope.

3 Q. How long has that been?

4 A. (No response.)

5 Q. Do you think it's been as long as you've
6 been in school -- erase that.

7 ,Has it been as long as -- that you've been
8 living with the Slavens?

9 A. Yeah.

10 Q. The Slavens have a nice house, don't they?

11 A. Yeah.

12 Q. They have a T.V.?

13 A. Yeah.

14 Q. And some things to play with?

15 A. Yeah.

16 Q. And are there some children there your age?

17 A. Yeah.

18 Q. You've talked to the children there about
19 what happened when you were shot, haven't you?

20 A. Yeah.

21 Q. And they -- your friends have talked back to
22 you about it, haven't they?

23 A. Yeah.

24 Q. Danny has talked about it too, hasn't he?

25 A. Yeah.

1 Q. Danny has said that his mother did it,
2 hasn't he?

3 A. Yeah.

4 Q. But you know that couldn't be true because
5 Danny was asleep, right?

6 A. Yeah.

7 Q. In fact you told him that, didn't you, when
8 he said that?

9 A. Whenever he's -- I talked to other people
10 about that, he listens too.

11 Q. Have you talked to a lot of people about
12 that?

13 A. No.

14 Q. Do you remember Danny saying that a monster
15 with long ears did it?

16 A. No.

17 Q. Do you remember if Danny has said that
18 anyone else did the shooting?

19 A. No.

20 Q. Did the things that -- the Slavens' house,
21 you feel nice being there, don't you?

22 A. Yeah.

23 Q. It's a bigger house than you were living in
24 with your mother, isn't it?

25 A. Yeah.

1 Q. Do you remember your mom before you got
2 shot, some days before, looking for a larger house to
3 live in?

4 A. Yeah, but not a couple days.

5 Q. Do you remember if Cheryl -- when the shots
6 were being fired, did Cheryl ever get out of the car?

7 A. No.

8 Q. Do you remember if the person who shot
9 Cheryl and Danny and you, if that person got in
10 through the driver's -- the side where the steering
11 wheel is or the other side?

12 A. The driver's seat.

13 Q. And which side were you sitting on, the
14 driver's seat or the other seat?

15 A. Behind the driver's seat.

16 Q. You remember seeing your mom through the
17 back window of the car, don't you?

18 A. I didn't look at the back of the window.

19 Q. Do you remember seeing -- the back window of
20 the car -- do you know what I mean by "the back
21 window"?

22 A. Yeah.

23 Q. One you'd look at as you drive straight
24 ahead, and the other one is the back window.

25 Do you remember before the shooting took

1 place, do you remember seeing your mother through that
2 back window?

3 A. No.

4 Q. Isn't that because you were lying down?

5 A. No.

6 Q. Were you sitting up or standing up?

7 A. I was sitting down, but I didn't look at the
8 back window.

9 MR. JAGGER: Those exhibits, if you could
10 just -- let's do it this way.

11 Just show her D, and I think that should be
12 the first one. Let me see. And show her that, if you
13 could, please.

14 Q. (By Mr. Jagger) Do you remember that
15 picture, what is D, do you remember that picture at
16 all?

17 A. Yeah, I've seen it.

18 Q. Do you remember where you've seen it?

19 A. Yeah.

20 Q. Whereabouts?

21 A. Whenever I was visiting Carl Peterson.

22 MR. JAGGER: Then show her the next picture,
23 E. And let me -- okay.

24 Q. (By Mr. Jagger) Do you remember seeing that
25 picture?

1 A. No.

2 Q. Do those two things at the top -- that looks
3 like guns -- do they look familiar to you at all?

4 A. Yeah.

5 Q. What do they look like?

6 A. Like my mom has.

7 Q. You've seen her with those two before?

8 A. (Witness nods head.)

9 Q. See, there's a long one and a shorter one,
10 right?

11 A. Yeah.

12 Q. Do you remember seeing the shorter one in
13 the trunk of your car when you were going to the beach
14 or coming back from the beach?

15 A. (No response.)

16 Q. We'll make it two questions, okay?

17 The first one is this, do you remember
18 before you went to the beach if you saw that short gun
19 in the trunk of the car?

20 A. Yeah.

21 Q. Was that while you were getting some clothes
22 and things in the trunk of the car?

23 A. (No response.)

24 Q. Is it hard to remember back then?

25 A. It was in the trunk of the car.

1 Q. Do you remember seeing it there when you got
2 back from the beach?

3 A. Yeah.

4 Q. Do you remember just one of them being in
5 the trunk of the car that size?

6 A. (No response.)

7 Q. There was just one in the trunk of the car
8 that size, wasn't there, the smaller one?

9 A. Yeah.

10 Q. Do you remember talking to Dr. Peterson
11 about whether or not you could be safe with your mom?

12 A. (No response.)

13 Q. Is it that you don't remember talking about
14 being safe with Dr. Peterson?

15 A. With my mom, I was safe with my mom?

16 Q. Yes.

17 A. (No response.)

18 Q. I'll ask you again later, or were you going
19 to --

20 A. (Witness shakes head.)

21 MR. JAGGER: We'll come back to that then.

22 Let me have you look at F. Why don't you
23 take the other ones too?

24 Do you remember seeing that picture?

25 THE COURT: Would you identify it?

1 MR. JAGGER: F.

2 THE WITNESS: No.

3 MR. JAGGER: You can take F.

4 Now while you're doing that, I'll talk to
5 her.

6 Q. (By Mr. Jagger) Did you go ahead and draw a
7 picture of who shot Danny and Cheryl and you?

8 A. I was trying to draw.

9 Q. And do you remember if you actually did draw
10 it or not?

11 A. I was not finished.

12 MR. JAGGER: If you could just -- why don't
13 you stay there and show her Exhibit G.

14 Q. (By Mr. Jagger) I'll ask you -- before you
15 do it -- when I -- when I have a picture shown to you,
16 I'll ask you if that's the picture you drew of who
17 hurt you, okay?

18 A. (Witness nods head.)

19 MR. JAGGER: Show her G.

20 Q. (By Mr. Jagger) That's the one that you drew
21 of who hurt you, isn't it?

22 A. Yeah.

23 MR. JAGGER: Okay, thank you. You can take
24 that back.

25 Q. (By Mr. Jagger) And that was the -- even

1 though maybe it wasn't finished, it was the best job
2 you could do on drawing that, right?

3 A. Uh-huh.

4 MR. JAGGER: I'm through with those
5 pictures. Thank you.

6 Q. (By Mr. Jagger) Do you remember anything on
7 the drive to the hospital?

8 A. No.

9 Q. Things happened very fast, didn't they?

10 A. Yeah.

11 Q. Has anybody ever told you that your mom saw
12 a person there who shot Danny and Cheryl and you?

13 A. No.

14 Q. Has anybody ever told you that somebody out
15 there within -- a little while before this happened --
16 saw someone who looked like the person your mom said
17 did the bad things to you?

18 Has anybody ever told you that?

19 A. No.

20 Q. When Mr. Hugi asked you if the person who
21 hurt you was kneeling and leaning across, I think he
22 motioned across the seat to Cheryl, and that's what
23 you remember?

24 A. Yeah.

25 Q. Now the car seat in the front seat of the

1 car, is that a seat that goes all the way across from
2 one side of the car to the other, or is there a hole
3 in the middle?

4 A. It has a hole in the middle.

5 Q. Was the person -- are you getting tired?

6 A. Yeah.

7 Q. Did the person who hurt you shoot through
8 that hole?

9 A. Yeah.

10 Q. Do you still wonder sometimes if your mother
11 did it or not?

12 A. No.

13 Q. Have you thought about it so much now you
14 think she did?

15 A. Yeah.

16 Q. It would be nice to know -- it would be nice
17 to know that she didn't, wouldn't it, that would make
18 you feel better if she didn't do it, huh?

19 A. (Witness nods head.)

20 Q. Do you know what made you change from
21 wondering to then thinking she did, do you really
22 know?

23 A. (No response.)

24 Q. Has talking to Dr. Peterson helped you, is
25 that what you think?

1 A. (No response.)

2 Q. You don't really know what has made you
3 change from wondering to now thinking that's what
4 happened, right, is that right?

5 A. Yeah.

6 Q. Have you had some dreams about this?

7 A. No.

8 Q. You don't remember -- strike that.
9 Another erase, okay?

10 MR. JAGGER: I don't have any more questions
11 for you.

12 THE COURT: Redirect?

13

14 REDIRECT EXAMINATION

15

16 BY MR. HUGI:

17 Q. Do you know who shot Cheryl?

18 A. Yeah.

19 Q. Who was that?

20 A. My mom.

21 Q. How do you know that?

22 A. I watched.

23 Q. Were there any strangers there, anybody that
24 you didn't know?

25 A. No.

1 Q. How about with Danny, was there any stranger
2 there when Danny got shot?

3 A. No.

4 Q. Who shot him?

5 A. My mom.

6 Q. How about you when you got shot, were there
7 any strangers there?

8 A. No.

9 Q. Who shot you?

10 A. My mom.

11 Q. Do you know that because you saw her do it?

12 A. Yeah.

13 Q. Was she close to you when that happened?

14 A. Not close.

15 Q. In the same car, was she in the same car or
16 standing outside?

17 A. (No response.)

18 Q. Do you remember when the shooting happened,
19 do you remember when Cheryl got shot?

20 A. Yeah.

21 Q. Was your mom inside the car then?

22 A. (No response.)

23 Q. Was part of her outside the car and part
24 inside the car?

25 A. (No response.)

1 Q. Are you pretty tired now?

2 A. (No response.)

3 MR. HUGI: I don't have any other questions.

4 THE COURT: Anything further?

5 MR. JAGGER: No further questions.

6 THE COURT: Thank you, Christie, you can go
7 now.

8 Before we recess, let me just indicate to
9 the spectators that I think the only way you can exit
10 now is to go to the right and down the stairs. That
11 will put you out on the street.

12 Members of the jury, I want to remind you as
13 I indicated before, there's going to be a television
14 program on Channel 9 tonight at 10:30, and I'm going
15 to direct you not to watch that and ask you to adhere
16 to the other direction I made concerning media
17 coverage.

18 We'll be in recess until 10 o'clock in the
19 morning.

20 (Whereupon, the hearing was
21 adjourned.)

22
23
24
25